IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

FRIDAY, THE 6TH JULY 2007 / 15TH ASHADHA 1929

WP(C).No. 19559 of 2007(C)

PETITIONER:

MRS. SAFIYA BEEVI, AGED 49 YEARS,
W/O PAREED, PROPRIETRIX,
M/S AGRO TECH INDUSTRIES AND EXPORTERS,
M.C.ROAD, RAYONPURAM P.O., PERUMBAVOOR,
ERNAKULAM DISTRICT.

BY ADV. SRI.M.RAMESH CHANDER

RESPONDENTS:

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1. KERALA STATE ELECTRICITY BOARD
REP. BY ITS SECRETARY, VYDYUTHI BHAVAN,
TRIVANDRUM.

2. EXECUTIVE ENGINEER,
ELECTRICAL DIVISION,
PERUMBAVOOR.

3. ASSISTANT EXECUTIVE ENGINEER,
ELECTRICAL SECTION, PERUMBAVOOR.

BY SC SRI.P.P.THAJUDEEN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 06/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

C.N.RAMACHANDRAN NAIR,J

W.P.(C) NO.19559 of 2007

Dated this the 6th day of July, 2007

JUDGMENT

The petitioner is challenging demand of surcharge on the ground that the demand was once cancelled and there was stay when matter was pending in this court. Having regard to these circumstances, petitioner is granted 50% reduction in surcharge provided the balance arrears with 50% of surcharge is paid in two instalments. First instalment should be paid on or before 10th August 2007 and the next on or before 10th September 2007. In order to facilitate settlement by payment of arrears with 50% of surcharge, the respondents are directed to withhold recovery proceedings and disconnection. However, if the petitioner commits default in payment, the reduction and instalment facility granted will automatically stand vacated and the respondents will be free to disconnect supply and recover arrears with full surcharge. In view of the above, instalment facility granted by the Government will stand vacated.

C.N.RAMACHANDRAN NAIR,
JUDGE

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